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December 22, 1999

Chairman William E. Kennard
 Federal Communications Commission
 445 12th Street, NW
 Washington, DC 20554

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 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

Re: CS Docket No. 95-184
 Telecommunications Services Inside Wiring

Dear Chairman Kennard:

The undersigned organizations, representing consumer, minority, and homeowners organizations, understand that in the very near future the Commission will issue a response on the Petition for Reconsideration and subsequent final rules on the Multi-Family Unit (MDU) Inside Wiring Matter. We believe the Commission should provide a solution that will afford MDU residents of condominiums and cooperatives and rental tenants the same choices for video service providers that single family homeowners now enjoy. The failure of the Commission to open competition for video service providers in MDUs will have an enormous discriminatory impact upon MDU residents, particularly low-income and minority tenants who use such services.

We know that you have worked hard to promote competition and opportunities for the deployment of telecommunications services to minority and low-income communities. We urge you to intervene and delay the issuance of any response to the Petition for Reconsideration or final rules until the Commission addresses the concerns of the undersigned.

The Commission has been reviewing the matter of MDU inside wiring since 1995 and we understand that the agency soon intends to respond to the 1997 Petition for Reconsideration. During this time, commenters expressed serious concerns about whether the Commission would deny MDU residents the same opportunities for choosing alternative video service providers that single family homeowners now enjoy. We understand that the Commission may not mandate that MDU wiring be "open" for use by alternative video service providers through line-sharing, virtual demarcation or other means. It appears that the Commission's may also:

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- Establish mechanisms for the termination of incumbent video service providers (cable television companies) contracts, which would enable the landlord or building owner and not the tenant to choose the service provider..
- Fail to preempt state mandatory access laws that deny access to MDUs by alternative video service providers in numerous states and jurisdictions throughout the nation.

The goals and vision of the Telecommunications Act of 1996 are to guarantee that ALL in America receive the benefits of choice in an expanded and competitive telecommunications market. We strongly believe that the Commission's anticipated position on this issue could prevent, rather than promote, choice and competition. The Commission's position would limit MDU residents and tenants' choice of alternative video programming just because they are not fortunate enough or choose not to own a single family home. This inequity flies in the face of the 1996 Act, which ensures that ALL in America receive access to various forms of information and news sources, programming, and to hear alternative voices on issues concern to all Americans. The 1996 Act does not distinguish between MDU residents and single family homeowners, yet we are concerned that the Commission plans to do just that.

We believe that the Commission's position on this issue may not address the consumer implications of the denial of choice and the benefits of competition. An equally important concern is the discriminatory effect the Commission's order may have on minorities and low-income MDU residents.

A significant percentage minorities and low-income persons are residents, as renters, in MDUs. According to the 1999 third quarter United States Census data, 73.5% of whites (non-Hispanic) own homes in this nation; whereas only 46.6 % of blacks, 45.5% of Hispanics, and 54.4% of other races own homes. As you are well aware, a large percentage of these renters are low-income residents. As the data demonstrate, almost half of the minority population in this nation rent and do not own a home. If the Commission does not reconsider its position on opening competition for alternative video providers for MDU residents, an entire segment of the population could be denied the rights of access, choice and competition now enjoyed by single family home owners.

We urge you and your Commission colleagues to intervene. The Commission must not issue an order that will exacerbate the disparity between haves and have-nots. Please do not allow the Commission to thwart the 1996 Act by establishing rules that could discriminate between MDU residents and single family homeowners. We call upon you in to ensure that all consumers, including minorities and low-income consumers receive the FULL benefits of competition and choice. Please exercise your characteristic leadership by revisiting this issue and considering our concerns before the Commission acts.

We would be pleased to meet with you to discuss this matter further. We look forward to hearing from you on this important issue for ALL Americans, particularly the minority and low-income residents.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read "Jordan Clark". The signature is fluid and cursive, with the first name "Jordan" being more prominent than the last name "Clark".

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Commissioner Harold Furchtgott-Roth
Commission Secretary Magalie Roman Salas